

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CBS CORPORATION,)	
Plaintiff,)	2:12cv1027
)	Electronic Filing
v.)	
)	Judge David Stewart Cercone
)	Magistrate Judge Maureen P. Kelly
SCHINDLER ELEVATOR)	
CORPORATION,)	Re: ECF Nos. 35, 40
Defendant.)	

MEMORANDUM ORDER

AND NOW, this 26 day of June, 2014, after Plaintiff CBS Corporation filed an action in the above-captioned case, and after Defendant Schindler Elevator Corporation filed a Motion for Summary Judgment Based on Statute of Limitations, ECF No. 35, and a Motion for Summary Judgment Based on Contract, ECF No. 40, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until June 6, 2014, to file written objections thereto, and upon consideration of the objections filed by Plaintiff, ECF No. 69, and Defendant's response to Plaintiff's objections ("Defendant Schindler Elevator Corporation's Reply in Support of Motion for Summary Judgment Based on Statute of Limitations"), ECF No. 70, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Schindler Elevator Corporation's Motion for Summary Judgment Based on Statute of Limitations is GRANTED, and Defendant Schindler Elevator Corporation's Motion for Summary Judgment Based on Contract is dismissed as moot. The Clerk shall mark this case CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.



David Stewart Cercone
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

Frederick W. Bode, III, Esquire
Michael P. Flynn, Esquire
Steven W. Zoffer, Esquire
Stuart H. Sostmann, Esquire
Roy A. Cohen, Esquire

(Via CM/ECF Electronic Mail)